

Exhibit 12

Tim Hogan

From: Wesley W. Ichida
Sent: Wednesday, July 25, 2007 2:16 PM
To: Timothy J. Hogan
Cc: Paul A. Lynch; WFT; Steven J. Kim; Maile M. Hirota
Subject: RE: Agreement

Tim: I want you to know that I am willing, able and authorized to sign the agreement that you drafted. If you want to take the position that we don't or cannot have any agreement because you want Buzz's e-mail authorization now and it cannot wait, or because of whatever else you may think of later, and you will not do anything on the Berry matters based on that position, then I believe a court will later decide which position is appropriate. In meantime, I request that you prepare before on or before July 28, 2007, a Withdrawal and Substitution to be effective as of August 1, 2007 in all Berry matters and courts, as we discussed, and a Motion to Withdrawal and For an Attorneys Fee Lien of this firm in all Berry cases and in the pending courts. Wes

-----Original Message-----

From: Timothy J. Hogan [mailto:tjh@loio.com]
Sent: Tuesday, July 24, 2007 4:55 PM
To: Maile M. Hirota; Steven J. Kim; Wesley W. Ichida
Cc: Paul A. Lynch; WFT
Subject: RE: Agreement

I'm sure it can wait.

-----Original Message-----

From: Maile M. Hirota [mailto:maile@loio.com]
Sent: Tuesday, July 24, 2007 4:33 PM
To: Steven J. Kim; Wesley W. Ichida; Timothy J. Hogan
Cc: Paul A. Lynch; WFT
Subject: RE: Agreement

Tim, I second what Steve said below. WFT is traveling now and cannot be reached by email, but he also says he supports what Wes has and will agree to. Maile

-----Original Message-----

From: Steven J. Kim
Sent: Tuesday, July 24, 2007 3:34 PM
To: Wesley W. Ichida; Timothy J. Hogan
Cc: Paul A. Lynch; Maile M. Hirota; WFT
Subject: FW: Agreement

Wes has the authority to act for the firm on the issue of the Berry

agreement. His signature on the document will bind the firm to the agreement.

Steve Kim

Steven J. Kim, Esq.
Lynch Ichida Thompson Kim & Hirota
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-----Original Message-----

From: Timothy J. Hogan [<mailto:tjh@timhogan.com>]
Sent: Tuesday, July 24, 2007 3:05 PM
To: Wesley W. Ichida
Cc: WayneBerry@FCS2003.com
Subject: Agreement

Wes:

Upon receipt of the waiver of meeting and estoppel email from each of the shareholders Berry will deliver his signed agreement.

Tim

2/29/2008

